

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
9

10 GILBERT DEMETRIUS AGUILAR,

11 Plaintiff,

12 v.

13 CONGRESSMAN JAMES GIBBONS, *et*
14 *al.*,

15 Defendants.

Case No. 2:10-CV-01349-KJD-RJJ

ORDER

16
17 Before the Court is Plaintiff's Motion to Show Cause (#31) and Motion for Appointment of
18 Counsel (#32). Defendants have filed a response (#32) to the Motion for Appointment of Counsel.

19 On July 20, 2012, the Court ordered (#27) that Plaintiff show cause as to why his action
20 should not be dismissed for want of prosecution. Plaintiff had not taken any action in the matter for
21 nearly a year.

22 In response, Plaintiff filed a document styled Motion to Show Cause (#31) which, operates as
23 a response to the Court's Order (#27) to show cause. This filing indicates that Plaintiff is attempting
24 to proceed with discovery against Defendants. Accordingly, the Court will not dismiss this matter
25 for want of prosecution. However, Plaintiff is warned that further delays in the prosecution of his
26 case could lead to dismissal.

1 Plaintiff has also requested appointment of counsel. This is Plaintiff's third request for
2 appointment of counsel (##6, 21, 32). The two previous requests were denied by Magistrate Judge
3 Johnston. The request for appointment of counsel is denied for the reasons set forth in the previous
4 orders (## 13, 23).

5 Accordingly, **IT IS HEREBY ORDERED** that Plaintiff's Motion to Show Cause (#31) is
6 terminated as it satisfies the Court's Order to Show Cause (#27).

7 **IT IS FURTHER ORDERED** that the Motion for Appointment of Counsel (#32) is
8 **DENIED.**

9 **IT IS FURTHER ORDERED** that the Clerk of Court provide one free copy of each
10 document filed in this case in accordance with the Court's Order (#17).

11 DATED this 4th day of September 2012.

12
13
14 

15 Kent J. Dawson
16 United States District Judge
17
18
19
20
21
22
23
24
25
26